



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Katy Allen

SUBJECT: ALMADEN COMMUNITY CENTER EASEMENT ACQUISITION **DATE:** 04-07-04

Approved

Date

Council District: 10

RECOMMENDATION

Approval of an agreement with San José Unified School District for the donation to the City of San José for an emergency vehicle access easement on a portion of the Simonds Elementary School site at 6515 Grapevine Way together with a temporary construction easement through May 31, 2006 on another portion of the site and authorization for the Director of Public Works to execute all documents necessary to complete the transaction.

CEQA: Exempt, PP03-11-367.

BACKGROUND

The new Almaden Community Center and Branch Library is the sixth library and the first joint community center and library to be constructed using City Library and Parks Bond Funds. This project is based on the Almaden Community Center, Branch Library and Parma Park Master Plan approved by Council on August 19, 2003. The site is located on Camden Avenue between Bose Lane and Little Falls Drive.

The 65,000 SF two-story joint facility is comprised of a community center which includes a 4,000 SF community room with adjoining commercial kitchen, a gymnasium, aerobic/dance studio, classrooms, computer lab, cooking classroom, children's activity rooms, and a library with various reading areas, tech center, teen area and community program room. The project also includes an outdoor courtyard, public art projects by 3 artists, 169 on-site parking spaces and new park restroom facilities. The joint facility replaces the existing community center and branch library currently occupying the same site.

Construction is scheduled to begin in June 2004 with completion in January 2006.

ANALYSIS

The emergency vehicle access easement to be acquired on the school property encompasses an irregularly-shaped portion of property at the terminus of Parma Drive abutting the Almaden Community Center and Branch Library site at 6445 Camden Avenue. The easement includes 7,694.54 square feet of land and entitles the City to utilize it for the purposes of installing, constructing, operating, maintaining, repairing, reconstructing, removing and replacing an asphalt pavement emergency vehicle access road servicing the Almaden Community Center and Branch Library. In addition, a temporary construction easement is needed for a period terminating no later than May 31, 2006 for the purpose of constructing an entry gate and a fence around the perimeter of the emergency vehicle road access easement. The temporary construction easement will encompass an additional 0.76 acre of the school district property. A map showing the portions of the school district property covered by the emergency vehicle access road easement and the temporary construction easement is attached as Exhibit A.

PUBLIC OUTREACH

Community input into the master planning and design effort for this facility was accomplished through numerous community meetings including a series of 7 community workshops conducted over a 14 month period from October 25, 2001 through February 25, 2003. Community members were notified of these meetings through flyers and staff solicitation of users at the existing facilities and mailers to nearby residents as stated in the Planning Outreach guidelines.

COORDINATION

This memorandum and agreement have been coordinated with the Department of Planning, Building and Code Enforcement, the City Manager's Budget Office and City Attorney's Office.

COST IMPLICATIONS

The easement dedication agreement specifies that no consideration is to be paid by the City for the easement and temporary construction easement. However the City is to pay the School District the amount of \$3,500 as reimbursement for its costs, including attorney fees incurred in preparing, negotiating and performing the agreement and Deed. In addition, there will be title fees estimated at \$750 incurred in connection with title search conducted by North American Title Company. The total cost is anticipated to be approximately \$4,250.

1. SOURCE OF FUNDING: 472 – Branch Libraries Bond Projects Fund
471 – Parks and Recreation Bond Projects Fund

2. **FISCAL IMPACT:** This project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy. The impact to the operating budget from the opening of the library will initially be offset by savings resulting from the closing of the Pearl Avenue Branch scheduled for reconstruction.

BUDGET REFERENCE

Fund #	Appn. #	Appn. Name	RC #	Total Appn.	Amt. For Contract	Adopted Budget Page	Last Budget Action (Date, Ord. No.)
471	6906	Almaden Community Center Multi-Service	117913	\$15,682,000		Page 728	10/14/03, Ord No. 26997
472	4315	Almaden Branch	120950	\$7,481,000		Page 365	10/14/03, Ord No. 26997
		Total		\$23,163,000			

An additional \$345,000 is budgeted in the Parks and Recreation Bond Fund in 2004-2005 through 2005-2006 and an additional \$309,000 is budgeted in the Library Bond Fund in 2004-2005 through 2005-2006 for project costs.

CEQA

Exempt, PP03-11-367.

KATY ALLEN
Director, Public Works Department

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Attachment